



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§ Examiner: Unknown

§ Group Art Unit: 2873

§ Atty. Docket. No.: 5040-06323/EBM

CERTIFICATE OF MAILING  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Attn: BOX MISSING PARTS, Washington, D.C. 20231, on the date indicated below.

C. 20231, on the date indicated below

Elda Gonzalez  
Elda Gonzalez

**ATTN: Box Missing Parts**  
Commissioner for Patents  
Washington, D.C. 20231

Applicant encloses the following in response to the Notice to File Missing Parts of

- (1) Copy of Form PTO-1533, Notice to File Missing Parts - Filing Date Granted (2 pages);
- (2) Originally executed Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (2 pages);
- (3) Form PTO-1595 Assignment Recordation Cover Sheet (1 page);
- (4) Originally executed Assignment (3 pages);
- (5) Originally executed Declaration (3 pages);

Foreman, et al.  
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- (6) Originally executed Verified Statement (Declaration) Claiming Small Entity Status (37 CFR §§ 1.9(f) and 1.27(c)) – Small Business Concern (2 pages);
- (7) Substitute drawings in compliance with the margin requirements of 37 C.F.R. § 1.84 (figures 1-53 on 47 sheets);
- (8) Preliminary Amendment (2 pages);
- (9) Fee Authorization in the amount of \$460.00 to cover the filing fee for a small entity as follows (2 pages):
  - \$ 355.00 -- basic filing fee;
  - \$ 65.00 -- surcharge for late filing of declaration and fee;
  - \$ 40.00 -- assignment recordation fee; and
- (10) A return postcard.

If any extension of time is required, Applicant hereby respectfully requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley, Rose & Tayon, P.C. Deposit Account Number 50-1505/5040-06323/EBM.

Respectfully submitted,



Mark R. DeLuca  
Reg. No. 44,649

Patent Agent for Applicant

CONLEY, ROSE & TAYON, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 476-1400 (voice)  
(512) 703-1250 (facsimile)

Date: 7/10/01



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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

7-10-01      Elda Gonzalez

Date                  Elda Gonzalez

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

  
Elda Gonzalez

Commissioner for Patents  
Washington, D.C. 20231

The Commissioner is hereby authorized to charge the following fees to Conley, Rose & Tayon, P.C. Deposit Account Number 50-1505/5040-06323/EBM:

\$ 355.00 -- basic filing fee;  
\$ 65.00 -- surcharge for late filing of declaration and fee;  
\$ 40.00 -- assignment recordation fee;

Total Amount: \$460.00

Attorney Docket No.: 5040-06323

Foreman, et al.  
09/788,439

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number. If the above mentioned account is found to have insufficient funds, the Commissioner is authorized to charge Conley, Rose & Tayon, P.C. Deposit Account Number 501623/5040-06323.

Respectfully submitted,



Mark R. DeLuca  
Reg. No. 44,649

Attorney for Applicant

CONLEY, ROSE & TAYON, P.C.  
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AUSTIN, TX 78767-0398  
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/788,439	02/20/2001	John T. Foreman	5040-06323

CONFIRMATION NO. 5226

## FORMALITIES LETTER



\*OC00000006060697\*

ERIC B. MEYERTONS  
CONLEY, ROSE & TAYON, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398

Date Mailed: 05/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$27526.
  - \$22806 for 1267 total claims over 20.
  - \$4720 for 59 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 28366.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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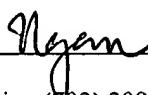
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01 FC:201 355.00 CH

02 FC:205 65.00 CH

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*A copy of this notice MUST be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE